

REMARKS

Applicants respectfully request entry of the foregoing and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116, and in light of the remarks which follow.

Claims 21, 23, 26-28 and 30-43 are pending in the application, claims 24, 25 and 29 having been canceled above.

By the above amendments, claims 21 and 41 have been amended to address the objection to these claims as containing non-elected subject matter.

Turning now to the Official Action, claims 24, 25 and 29, stand withdrawn as being subject to restriction and election of species requirements. Applicants understand that these requirements have been final despite Applicants' traversal. In an effort to expedite prosecution of the application, Applicants have canceled claims 24, 25 and 29. Moreover, Applicants have amended claims 21 and 41 to delete any reference to non-elected subject matter.

Accordingly, Applicants respectfully request withdrawal of the restriction/election of species requirements.

Applicants thank the Examiner for acknowledging that the previous claim amendments have overcome the outstanding 35 U.S.C. §102(b) rejection of claims 21, 30 and 31.

Claims 21, 23, 26-28, 32 and 40 and newly added claims 41 to 43 stand rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 10 and 13 of U.S. Patent No. 6,316,636. In order to obviate this rejection, Applicants have provided the attached Terminal Disclaimer.

In view of the attached Terminal Disclaimer, Applicants respectfully request withdrawal of the obviousness-type double patenting rejection of claims 21, 23, 26-28, 32 and 40-43 over U.S. Patent No. 6,316,636.

Claims 21, 23; 26-28 and 30-43 stand objected to as containing non-elected subject matter. Applicants have amended claims 21 and 41 to obviate the objection. In particular, Applicants have canceled language in these claims directed to the use of a peroxide compound.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection.

From the foregoing, Applicants earnestly solicit further and favorable action in the form of a Notice of Allowance. If there are any questions concerning this paper or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

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Attachment: Terminal Disclaimer over U.S. Patent No. 6,316,636